

17758. Adulteration and misbranding of fluid extract of ginger. U. S. v. 10 Cartons of Ginger Extract, et al. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 24852, 24854. I. S. Nos. 014219, 014220, 014221. S. Nos. 3193, 3195.)

Examination of samples of fluid extract of ginger from the herein-described interstate shipments having shown that the article did not meet the requirements of the United States Pharmacopoeia, since it contained castor oil, and that a portion was artificially colored with a coal-tar dye, the Secretary of Agriculture reported the matter to the United States attorney for the Eastern District of Texas.

On June 23, 1930, the said United States attorney filed in the District Court of the United States for the district aforesaid libels, and subsequently amended libels, praying seizure and condemnation of 35 cartons, each containing 6 dozen 2-ounce bottles of fluid extract of ginger, remaining in the original unbroken packages at Tyler, Tex., alleging that the article had been shipped by the American Products Co., from Kansas City, Mo., in various consignments, on or about February 5, February 6, and March 13, 1930, respectively, and had been transported from the State of Missouri into the State of Texas, and charging adulteration and misbranding in violation of the food and drugs act.

Analyses of samples of the article by this department showed that the product contained castor oil and but a small proportion of material derived from ginger. Some of the preparation was colored with a coal-tar dye.

The article was labeled in part: (Bottle) "Fluid Extract of Ginger U. S. P." or "Fluid Extract Ginger U. S. P."

It was alleged in substance in the libels as amended that the article was adulterated in that it was sold under a name recognized by the United States Pharmacopoeia, and differed from the standard of strength, quality, and purity as determined by the tests laid down in said pharmacopoeia, since it contained castor oil.

Misbranding was alleged for the reason that the statements on the label, "Fluid Extract of Ginger U. S. P." or "Fluid Extract Ginger U. S. P.," were false and misleading; and for the further reason that the article was an imitation of and was offered for sale under the name of another article.

On October 7, 1930, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17759. Misbranding of Bel-Rub. U. S. v. 34 Jars of Bel-Rub. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25180. I. S. No. 4530. S. No. 3439.)

Examination of samples of a drug product known as Bel-Rub from the herein-described interstate shipment having shown that the labels bore claims of curative and therapeutic properties that the article did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of New York.

On October 6, 1930, the said United States attorney filed in the United States District Court for the district aforesaid a libel praying seizure and condemnation of 34 jars of Bel-Rub, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by W. E. Shuit (Inc.), from Passaic, N. J., on or about February 20, 1930, and had been transported from the State of New Jersey into the State of New York, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of an ointment with a petrolatum base containing methyl salicylate, camphor, and menthol.

It was alleged in the libel that the article was misbranded in that the following statements regarding its curative and therapeutic effects, appearing on the carton and jar labels and in the accompanying circular, were false and fraudulent, since the said article contained no ingredients or combination of ingredients capable of producing the effects claimed: (Jar label) "For Local Treatment of Congestion and Inflammation * * * Directions: Babies' and Children's Croup * * * Repeat this treatment in 2 hours if breathing has not become regular and easy. * * * LaGrippe, Influenza, Pneumonia, Acute-Bronchitis rub chest and back with towels dipped in water as hot as patient can stand;" (carton) "Local Treatment of Congestion and Inflammation * * * for Congestion * * * For Relief of Asthma, Bronchitis * * * Catarrh * * * Chilblains, Croup * * * Pneumonia, Piles